

## **Part 6**

### **Abuse of Process**

#### **76-8-601 Wrongful commencement of action in justice court.**

Any party to any suit or proceeding, and any attorney or agent for the party, who knowingly commences, prosecutes, or maintains any action, suit, or proceeding in any justice court other than as provided in Sections 78A-7-105 and 78A-7-106, is guilty of a class B misdemeanor.

Amended by Chapter 3, 2008 General Session

#### **76-8-602 Assuming liability for conferring jurisdiction upon justice court judge.**

Any person who binds himself, or voluntarily becomes liable jointly or jointly and severally with any other person, for the purpose of conferring jurisdiction of any cause upon any justice court judge in any precinct or city that would be without jurisdiction except for the liability of the joint obligor, and any person who induces a person to assume the liability for the purpose of conferring jurisdiction upon the justice court judge, is guilty of a class B misdemeanor.

Amended by Chapter 59, 1990 General Session

#### **76-8-603 Wrongful attachment by justice court judge -- Liability.**

It is unlawful for any justice court judge to issue any writ of attachment, and for any party, agent, or attorney of the party, to advise, induce, or procure the issuance thereof, in any action, suit, or proceeding before the affidavit is filed, or where the affidavit filed does not conform substantially with the requirements of Rule 64C of the Utah Rules of Civil Procedure. Any person violating any of the provisions of this section is guilty of a class B misdemeanor and shall be liable to the person whose property, credits, money, or earnings are attached for double the value of the attached property, together with all costs paid by him, and all damages incurred in the attachment proceedings.

Amended by Chapter 59, 1990 General Session